

JOURNAL OF THE SENATE

EIGHTY-NINTH SESSION

TWENTY-NINTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Monday, March 3, 2014

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Pastor Paul Bly, followed by the Pledge of Allegiance led by Senate page Connor McNenny.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the twenty-eighth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

COMMUNICATIONS AND PETITIONS

February 27, 2014

Mr. President and Members of the Senate:

I have the honor to inform you that on February 27, 2014, I approved Senate Bills 39, 60, 78, 79, 88, and 119, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,
Dennis Daugaard
Governor

January 23, 2014

The Honorable Matt Michels
President of the Senate
State Capitol
Pierre, SD 57501

Dear Mr. President and Members of the Senate:

Pursuant to the provisions of Chapter 1-16J of the South Dakota Codified Laws and subject to your consent, I have the honor to inform you that I have reappointed Stanley Porch, Jackson County, Wanblee, South Dakota, to the South Dakota Ellsworth Development Authority.

This appointment is effective immediately, and shall continue until January 15, 2018.

Sincerely,
Dennis Daugaard
Governor

The President announced the referral of the appointment to the Committee on Commerce and Energy.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared SB 5, 70, 71, 115, and 151 and finds the same correctly enrolled.

Respectfully submitted,
Corey Brown, Chair

1 Also MR. PRESIDENT:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 HCR 1026 which was deferred to the 41st Legislative Day.

4 Respectfully submitted,
5 Mike Vehle, Chair

6 Also MR. PRESIDENT:

7 The Committee on Appropriations respectfully reports that it has had under consideration
8 HB 1022, 1034, and 1111 and returns the same with the recommendation that said bills do pass.

9 Also MR. PRESIDENT:

10 The Committee on Appropriations respectfully reports that it has had under consideration
11 HB 1112 and returns the same with the recommendation that said bill be amended as follows:

12 1112ma

13 On the House Appropriations Committee engrossed bill, delete all amendments, thus
14 restoring the bill to the printed version.

15 And that as so amended said bill do pass.

16 Also MR. PRESIDENT:

17 The Committee on Appropriations respectfully reports that it has had under consideration
18 HB 1113 and returns the same with the recommendation that said bill be amended as follows:

19 1113da

20 On page 1, between lines 12 and 13 of the printed bill, insert:

21 "Section 4. That § 10-18A-5 be amended to read as follows:

22 10-18A-5. The amount of refund of real property taxes due or paid for a single-member
23 household made pursuant to this chapter shall be according to the following schedule:

| | |
|---------------------------|--------------------------------|
| | The refund of real |
| 24 If household income is | property taxes due |
| 25 more than: | but less than or paid shall be |

| | | | |
|----|--------------------------------------|---------------------------------|-----------|
| 1 | \$ 0 | \$4,500 <u>5,420</u> | 35% |
| 2 | 4,501 <u>5,421</u> | 4,760 <u>5,680</u> | 34% |
| 3 | 4,761 <u>5,681</u> | 5,020 <u>5,940</u> | 33% |
| 4 | 5,021 <u>5,941</u> | 5,280 <u>6,200</u> | 32% |
| 5 | 5,281 <u>6,201</u> | 5,540 <u>6,460</u> | 31% |
| 6 | 5,541 <u>6,461</u> | 5,800 <u>6,720</u> | 30% |
| 7 | 5,801 <u>6,721</u> | 6,060 <u>6,980</u> | 29% |
| 8 | 6,061 <u>6,981</u> | 6,320 <u>7,240</u> | 28% |
| 9 | 6,321 <u>7,241</u> | 6,580 <u>7,500</u> | 27% |
| 10 | 6,581 <u>7,501</u> | 6,840 <u>7,760</u> | 26% |
| 11 | 6,841 <u>7,761</u> | 7,100 <u>8,020</u> | 25% |
| 12 | 7,101 <u>8,021</u> | 7,360 <u>8,280</u> | 24% |
| 13 | 7,361 <u>8,281</u> | 7,620 <u>8,540</u> | 23% |
| 14 | 7,621 <u>8,541</u> | 7,880 <u>8,800</u> | 22% |
| 15 | 7,881 <u>8,801</u> | 8,140 <u>9,060</u> | 21% |
| 16 | 8,141 <u>9,061</u> | 8,400 <u>9,320</u> | 20% |
| 17 | 8,401 <u>9,321</u> | 8,660 <u>9,580</u> | 19% |
| 18 | 8,661 <u>9,581</u> | 8,920 <u>9,840</u> | 18% |
| 19 | 8,921 <u>9,841</u> | 9,180 <u>10,100</u> | 17% |
| 20 | 9,181 <u>10,101</u> | 9,440 <u>10,360</u> | 16% |
| 21 | 9,441 <u>10,361</u> | 9,700 <u>10,620</u> | 15% |
| 22 | 9,701 <u>10,621</u> | 9,960 <u>10,880</u> | 14% |
| 23 | 9,961 <u>10,881</u> | 10,220 <u>11,140</u> | 13% |
| 24 | 10,221 <u>11,141</u> | 10,480 <u>11,400</u> | 12% |
| 25 | 10,481 <u>11,401</u> | 10,750 <u>11,670</u> | 11% |
| 26 | over 10,750 <u>11,670</u> | | No refund |

27 Section 5. That § 10-18A-6 be amended to read as follows:

28 10-18A-6. The amount of refund of real property taxes due or paid for a multiple-member
 29 household made pursuant to this chapter shall be according to the following schedule:

| | | | The refund of real property taxes due or paid shall be |
|----|--------------------------------------|---------------------------------|--|
| 1 | If household income is | | |
| 2 | more than: | but not more than | |
| 3 | \$ 0 | \$7,750 <u>9,230</u> | 55% |
| 4 | 7,751 <u>9,231</u> | 8,111 <u>9,591</u> | 53% |
| 5 | 8,112 <u>9,592</u> | 8,472 <u>9,952</u> | 51% |
| 6 | 8,473 <u>9,953</u> | 8,833 <u>10,313</u> | 49% |
| 7 | 8,834 <u>10,314</u> | 9,194 <u>10,674</u> | 47% |
| 8 | 9,195 <u>10,675</u> | 9,555 <u>11,035</u> | 45% |
| 9 | 9,556 <u>11,036</u> | 9,916 <u>11,396</u> | 43% |
| 10 | 9,917 <u>11,397</u> | 10,277 <u>11,757</u> | 41% |
| 11 | 10,278 <u>11,758</u> | 10,638 <u>12,118</u> | 39% |
| 12 | 10,639 <u>12,119</u> | 10,999 <u>12,479</u> | 37% |
| 13 | 11,000 <u>12,480</u> | 11,360 <u>12,840</u> | 35% |
| 14 | 11,361 <u>12,841</u> | 11,721 <u>13,201</u> | 33% |
| 15 | 11,722 <u>13,202</u> | 12,082 <u>13,562</u> | 31% |
| 16 | 12,083 <u>13,563</u> | 12,443 <u>13,923</u> | 29% |
| 17 | 12,444 <u>13,924</u> | 12,804 <u>14,284</u> | 27% |
| 18 | 12,805 <u>14,285</u> | 13,165 <u>14,645</u> | 25% |
| 19 | 13,166 <u>14,646</u> | 13,526 <u>15,006</u> | 23% |
| 20 | 13,527 <u>15,007</u> | 13,887 <u>15,367</u> | 21% |
| 21 | 13,888 <u>15,368</u> | 14,250 <u>15,730</u> | 19% |
| 22 | over 14,250 <u>15,730</u> | | No refund |

23 Section 6. That § 10-45A-5 be amended to read as follows:

24 10-45A-5. The amount of any claim made pursuant to this chapter by a claimant from a
25 household consisting solely of one person shall be determined as follows:

- 26 (1) If the claimant's income is ~~four thousand five hundred~~ five thousand four hundred
27 twenty dollars or less, a sum of two hundred fifty-eight dollars;
- 28 (2) If the claimant's income is ~~four thousand five hundred one~~ five thousand four
29 hundred twenty-one dollars and not more than ~~ten thousand seven hundred fifty~~

1 eleven thousand six hundred seventy dollars, a sum of forty-six dollars plus three and
2 four-tenths percent of the difference between ~~ten thousand seven hundred fifty~~ eleven
3 thousand six hundred seventy dollars and the income of the claimant; and

4 (3) If the claimant's income is more than ~~ten thousand seven hundred fifty~~ eleven
5 thousand six hundred seventy dollars, no refund.

6 Section 7. That § 10-45A-6 be amended to read as follows:

7 10-45A-6. The amount of any claim made pursuant to this chapter by a claimant from a
8 household consisting of more than one person shall be determined as follows:

9 (1) If household income is ~~seven thousand seven hundred fifty~~ nine thousand two
10 hundred thirty dollars or less, the sum of five hundred eighty-one dollars;

11 (2) If household income is ~~seven thousand seven hundred fifty-one~~ nine thousand two
12 hundred thirty-one dollars and not more than ~~fourteen thousand two hundred fifty~~
13 fifteen thousand seven hundred thirty dollars, a sum of seventy-four dollars plus
14 seven and eight-tenths percent of the difference between ~~fourteen thousand two~~
15 hundred fifty fifteen thousand seven hundred thirty dollars and total household
16 income; and

17 (3) If household income is more than ~~fourteen thousand two hundred fifty~~ fifteen
18 thousand seven hundred thirty dollars, no refund.".

19 And that as so amended said bill do pass.

20 Respectfully submitted,
21 Deb Peters, Chair

22 Also MR. PRESIDENT:

23 The Committee on Taxation respectfully reports that it has had under consideration
24 HB 1140 which was deferred to the 41st Legislative Day.

25 Respectfully submitted,
26 Ernie Otten, Chair

27 Also MR. PRESIDENT:

28 The Committee on Local Government respectfully reports that it has had under
29 consideration HB 1164 and 1213 and returns the same with the recommendation that said bills
30 do pass.

1 Also MR. PRESIDENT:

2 The Committee on Local Government respectfully reports that it has had under
3 consideration HB 1096, 1133, and 1134 and returns the same with the recommendation that said
4 bills do pass and be placed on the consent calendar.

5 Respectfully submitted,
6 Mark Kirkeby, Chair

7 Also MR. PRESIDENT:

8 The Committee on Health and Human Services respectfully reports that it has had under
9 consideration the nomination of Lynne Valenti of Hughes County, Pierre, South Dakota, as the
10 Secretary of the Department of Social Services and returns the same with the recommendation
11 that the Senate advise and consent to the confirmation of said appointment and that said
12 appointment be placed on consent calendar.

13 Respectfully submitted,
14 Jean M. Hunhoff, Chair

15 Also MR. PRESIDENT:

16 The Committee on State Affairs respectfully reports that it has had under consideration
17 HJR 1002 and HB 1212 and returns the same with the recommendation that said bill and
18 resolution do pass.

19 Respectfully submitted,
20 Timothy A. Rave, Vice-Chair

21 **MESSAGE FROM THE HOUSE**

22 MR. PRESIDENT:

23 I have the honor to return herewith SB 5, 70, 71, 115, and 151 which have passed the
24 House without change.

25 Respectfully,
26 Arlene Kvislen, Chief Clerk

1 **MOTIONS AND RESOLUTIONS**

2 Sen. Maher moved that the Committee on Judiciary be instructed to deliver HB 1100 to
3 the floor of the Senate, pursuant to Joint Rule 7-7.

4 Which motion was supported.

5 Sen. Vehle moved that the Senate do concur in House amendments to SB 103.

6 The question being on Sen. Vehle's motion that the Senate do concur in House amendments
7 to SB 103.

8 And the roll being called:

9 Yeas 33, Nays 2, Excused 0, Absent 0

10 Yeas:

11 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
12 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
13 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Rampelberg; Rave; Soholt;
14 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

15 Nays:

16 Peters; Rhoden

17 So the motion having received an affirmative vote of a two-thirds majority of the members-
18 elect, the President declared the motion carried and the amendments were concurred in.

19 **CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS**

20 The Senate proceeded to the consideration of the executive appointment of Kevin J. Krull
21 of Meade County, Sturgis, South Dakota, to the Board of Pardons and Paroles.

22 The question being "Does the Senate advise and consent to the executive appointment of
23 Kevin J. Krull pursuant to the executive message as found on page 219 of the Senate Journal?"

24 And the roll being called:

25 Yeas 35, Nays 0, Excused 0, Absent 0

26 Yeas:

27 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
28 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
29 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
30 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

1 So the question having received an affirmative vote of a majority of the members-elect, the
2 President declared the appointment confirmed.

3 The Senate proceeded to the consideration of the executive reappointment of Stacy Phelps
4 of Pennington County, Rapid City, South Dakota, to the South Dakota Board of Education.

5 The question being "Does the Senate advise and consent to the executive reappointment
6 of Stacy Phelps pursuant to the executive message as found on page 420 of the Senate Journal?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
11 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
12 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
13 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 So the question having received an affirmative vote of a majority of the members-elect, the
15 President declared the reappointment confirmed.

16 The Senate proceeded to the consideration of the executive reappointment of David R.
17 Nelson of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Board of Pardons
18 and Paroles.

19 The question being "Does the Senate advise and consent to the executive reappointment
20 of David R. Nelson pursuant to the executive message as found on page 219 of the Senate
21 Journal?"

22 And the roll being called:

23 Yeas 35, Nays 0, Excused 0, Absent 0

24 Yeas:

25 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
26 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
27 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
28 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

29 So the question having received an affirmative vote of a majority of the members-elect, the
30 President declared the reappointment confirmed.

1 The Senate proceeded to the consideration of the executive reappointment of Kay F.
2 Nikolas of Roberts County, Sisseton, South Dakota, to the South Dakota Board of Pardons and
3 Paroles.

4 The question being "Does the Senate advise and consent to the executive reappointment
5 of Kay F. Nikolas pursuant to the executive message as found on page 218 of the Senate
6 Journal?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
11 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
12 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;
13 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 So the question having received an affirmative vote of a majority of the members-elect, the
15 President declared the reappointment confirmed.

16 The Senate proceeded to the consideration of the executive reappointment of Doyle D.
17 Estes of Pennington County, Hill City, South Dakota, to the South Dakota Lottery Commission.

18 The question being "Does the Senate advise and consent to the executive reappointment
19 of Doyle D. Estes pursuant to the executive message as found on page 396 of the Senate
20 Journal?"

21 And the roll being called:

22 Yeas 35, Nays 0, Excused 0, Absent 0

23 Yeas:

24 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
25 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
26 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;
27 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

28 So the question having received an affirmative vote of a majority of the members-elect, the
29 President declared the reappointment confirmed.

30 The Senate proceeded to the consideration of the executive reappointment of Kenneth D.
31 Albers of Lincoln County, Canton, South Dakota, to the South Dakota Board of Pardons and
32 Paroles.

1 The question being "Does the Senate advise and consent to the executive reappointment
2 of Kenneth D. Albers pursuant to the executive message as found on page 192 of the Senate
3 Journal?"

4 And the roll being called:

5 Yeas 35, Nays 0, Excused 0, Absent 0

6 Yeas:

7 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
8 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
9 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
10 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

11 So the question having received an affirmative vote of a majority of the members-elect, the
12 President declared the reappointment confirmed.

13 **SECOND READING OF CONSENT CALENDAR ITEMS**

14 HB 1154: FOR AN ACT ENTITLED, An Act to authorize the commissioner of school and
15 public lands to grant certain surface and subsurface easements to provide access to oil, gas,
16 minerals, and geothermal resources.

17 Was read the second time.

18 The question being "Shall HB 1154 pass?"

19 And the roll being called:

20 Yeas 35, Nays 0, Excused 0, Absent 0

21 Yeas:

22 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
23 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
24 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
25 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

26 So the bill having received an affirmative vote of a majority of the members-elect, the
27 President declared the bill passed and the title was agreed to.

28 HB 1163: FOR AN ACT ENTITLED, An Act to authorize farm mutual insurers to invest
29 funds in certain stocks and market funds.

30 Was read the second time.

1 The question being "Shall HB 1163 pass as amended?"

2 And the roll being called:

3 Yeas 35, Nays 0, Excused 0, Absent 0

4 Yeas:

5 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
6 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
7 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
8 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

9 So the bill having received an affirmative vote of a majority of the members-elect, the
10 President declared the bill passed and the title was agreed to.

11 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

12 Sen. Rave moved that HB 1045, 1019, 1099, and 1148 be placed to follow HB 1132 on
13 today's calendar.

14 Which motion prevailed.

15 HB 1185: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to
16 nonresident waterfowl licenses.

17 Was read the second time.

18 The question being "Shall HB 1185 pass as amended?"

19 And the roll being called:

20 Yeas 33, Nays 2, Excused 0, Absent 0

21 Yeas:

22 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
23 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
24 Lucas; Maher; Novstrup (Al); Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
25 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

26 Nays:

27 Monroe; Omdahl

28 So the bill having received an affirmative vote of a two-thirds majority of the members-
29 elect, the President declared the bill passed and the title was agreed to.

1 HB 1058: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the
2 application of railroad tax credits.

3 Was read the second time.

4 The question being "Shall HB 1058 pass?"

5 And the roll being called:

6 Yeas 35, Nays 0, Excused 0, Absent 0

7 Yeas:

8 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
9 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
10 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
11 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 President declared the bill passed and the title was agreed to.

14 HB 1110: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
15 definition of a resident for the purposes of hunting, fishing, and trapping licenses.

16 Was read the second time.

17 The question being "Shall HB 1110 pass?"

18 And the roll being called:

19 Yeas 33, Nays 2, Excused 0, Absent 0

20 Yeas:

21 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
22 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;
23 Maher; Monroe; Novstrup (Al); Omdahl; Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
24 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

25 Nays:

26 Krebs; Otten (Ernie)

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 President declared the bill passed and the title was agreed to.

29 HB 1069: FOR AN ACT ENTITLED, An Act to revise the maximum redemption fee for
30 property tax deeds.

1 Was read the second time.

2 1069ra

3 Sen. Kirkeby moved that HB 1069 be amended as follows:

4 On page 1, line 8, of the House Taxation Committee engrossed bill, delete "five" and insert
5 "three".

6 Which motion prevailed.

7 The question being "Shall HB 1069 pass as amended?"

8 And the roll being called:

9 Yeas 32, Nays 3, Excused 0, Absent 0

10 Yeas:

11 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
12 Holien; Hunhoff (Jean); Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas;
13 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Soholt; Solano;
14 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

15 Nays:

16 Jensen; Maher; Rhoden

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 President declared the bill passed and the title was agreed to.

19 Sen. Peters moved that the Senate do now recess until 3:20 p.m., which motion prevailed
20 and at 2:58 p.m., the Senate recessed.

21 **RECESS**

22 The Senate reconvened at 3:20 p.m., the President presiding.

23 HB 1081: FOR AN ACT ENTITLED, An Act to revise the computation of the promotional
24 fee on wheat.

25 Was read the second time.

26 The question being "Shall HB 1081 pass?"

27 And the roll being called:

1 Yeas 32, Nays 3, Excused 0, Absent 0

2 Yeas:

3 Begalka; Bradford; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen;
4 Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup
5 (Al); Omdahl; Otten (Ernie); Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann;
6 Tieszen; Van Gerpen; Vehle; Welke; White

7 Nays:

8 Brown; Buhl O'Donnell; Peters

9 So the bill having received an affirmative vote of a majority of the members-elect, the
10 President declared the bill passed and the title was agreed to.

11 HB 1033: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
12 open enrollment application review process of siblings of open enrolled students.

13 Was read the second time.

14 1033sa

15 Sen. Welke moved that HB 1033 be amended as follows:

16 On page 1, line 13, of the House Education Committee engrossed bill, after "received"
17 delete "unless" and insert ". However, if".

18 On page 1, line 15, before "." insert ", that student's application shall take priority over all
19 other applications the district has received consistent with § 13-28-44".

20 Which motion prevailed.

21 The question being "Shall HB 1033 pass as amended?"

22 And the roll being called:

23 Yeas 33, Nays 2, Excused 0, Absent 0

24 Yeas:

25 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
26 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
27 Maher; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
28 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

29 Nays:

30 Lucas; Monroe

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 President declared the bill passed and the title was agreed to.

3 HB 1050: FOR AN ACT ENTITLED, An Act to revise certain enforcement actions by the
4 insurance director.

5 Was read the second time.

6 The question being "Shall HB 1050 pass?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
11 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
12 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave;
13 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 President declared the bill passed and the title was agreed to.

16 HB 1036: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
17 billboard permitting process.

18 Was read the second time.

19 The question being "Shall HB 1036 pass?"

20 And the roll being called:

21 Yeas 31, Nays 4, Excused 0, Absent 0

22 Yeas:

23 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
24 Holien; Hunhoff (Jean); Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas;
25 Maher; Novstrup (Al); Omdahl; Otten (Ernie); Rempelberg; Rave; Soholt; Solano; Sutton;
26 Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

27 Nays:

28 Jensen; Monroe; Peters; Rhoden

29 So the bill having received an affirmative vote of a majority of the members-elect, the
30 President declared the bill passed and the title was agreed to.

1 HB 1054: FOR AN ACT ENTITLED, An Act to establish consumer protection standards
2 regarding certain insurance claim practices and to provide for certain penalties.

3 Was read the second time.

4 The question being "Shall HB 1054 pass as amended?"

5 And the roll being called:

6 Yeas 33, Nays 2, Excused 0, Absent 0

7 Yeas:

8 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Heineman (Phyllis); Holien; Hunhoff
9 (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Monroe;
10 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;
11 Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

12 Nays:

13 Frerichs; Maher

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 President declared the bill passed and the title was agreed to.

16 HB 1077: FOR AN ACT ENTITLED, An Act to enact the Uniform Real Property Transfer
17 on Death Act.

18 Was read the second time.

19 The question being "Shall HB 1077 pass?"

20 And the roll being called:

21 Yeas 34, Nays 1, Excused 0, Absent 0

22 Yeas:

23 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
24 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
25 Lucas; Maher; Monroe; Novstrup (Al); Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
26 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

27 Nays:

28 Omdahl

29 So the bill having received an affirmative vote of a majority of the members-elect, the
30 President declared the bill passed and the title was agreed to.

1 HB 1119: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to
2 preliminary hearings for persons charged with class 1 misdemeanors.

3 Was read the second time.

4 The question being "Shall HB 1119 pass?"

5 And the roll being called:

6 Yeas 34, Nays 1, Excused 0, Absent 0

7 Yeas:

8 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
9 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
10 Lucas; Maher; Monroe; Novstrup (Al); Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
11 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

12 Nays:

13 Omdahl

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 President declared the bill passed and the title was agreed to.

16 HB 1030: FOR AN ACT ENTITLED, An Act to provide for the confidentiality of certain
17 evaluation data.

18 Was read the second time.

19 The question being "Shall HB 1030 pass?"

20 And the roll being called:

21 Yeas 31, Nays 4, Excused 0, Absent 0

22 Yeas:

23 Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Hunhoff (Jean);
24 Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup
25 (Al); Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann;
26 Tieszen; Van Gerpen; Vehle; Welke; White

27 Nays:

28 Begalka; Holien; Jensen; Omdahl

29 So the bill having received an affirmative vote of a majority of the members-elect, the
30 President declared the bill passed and the title was agreed to.

1 HB 1126: FOR AN ACT ENTITLED, An Act to revise the persons authorized to
2 countersign school board payments.

3 Was read the second time.

4 The question being "Shall HB 1126 pass as amended?"

5 And the roll being called:

6 Yeas 33, Nays 2, Excused 0, Absent 0

7 Yeas:

8 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
9 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
10 Lucas; Maher; Monroe; Novstrup (Al); Otten (Ernie); Rampelberg; Rave; Rhoden; Soholt;
11 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

12 Nays:

13 Omdahl; Peters

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 President declared the bill passed and the title was agreed to.

16 HB 1167: FOR AN ACT ENTITLED, An Act to allow schools to maintain a stock and to
17 administer epinephrine auto-injectors in certain cases.

18 Was read the second time.

19 The question being "Shall HB 1167 pass?"

20 And the roll being called:

21 Yeas 35, Nays 0, Excused 0, Absent 0

22 Yeas:

23 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);
24 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman;
25 Lucas; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave;
26 Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 President declared the bill passed and the title was agreed to.

29 HB 1104: FOR AN ACT ENTITLED, An Act to allow local governing bodies to require
30 the payment for certain goods and services by electronic transaction.

1 Was read the second time.

2 The question being "Shall HB 1104 pass?"

3 And the roll being called:

4 Yeas 34, Nays 1, Excused 0, Absent 0

5 Yeas:

6 Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis); Holien; Hunhoff
7 (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Krebs; Lederman; Lucas; Maher;
8 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;
9 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

10 Nays:

11 Begalka

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 President declared the bill passed and the title was agreed to.

14 Sen. Rave moved that HB 1168, 1192, 1159, 1180, 1123, 1201, 1087, 1120, 1013, 1078,
15 1150, 1184, 1106, 1132, 1045, 1019, 1099, and 1148 and HJR 1001 be deferred to Tuesday,
16 March 4, the 30th legislative day.

17 Which motion prevailed.

18 **SIGNING OF BILLS**

19 The President publicly read the title to

20 SB 5: FOR AN ACT ENTITLED, An Act to permit the court reciprocal discretion to hear
21 certain petitions for protection orders due to domestic abuse and for protection orders due to
22 stalking or physical injury.

23 SB 70: FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2013.

24 SB 71: FOR AN ACT ENTITLED, An Act to allow the contract for the publication of the
25 codified laws to be extended for more than one year.

26 SB 115: FOR AN ACT ENTITLED, An Act to provide for travel insurance and regulate
27 travel insurance retailers.

28 SB 151: FOR AN ACT ENTITLED, An Act to revise the appointment process for the State
29 Veterans Home superintendent.

1 HB 1012: FOR AN ACT ENTITLED, An Act to provide for free resident fishing licenses
2 for certain entities teaching basic fishing skills.

3 HB 1014: FOR AN ACT ENTITLED, An Act to increase the nonrefundable application
4 fee for resident bighorn sheep, mountain goat, and elk licenses.

5 HB 1015: FOR AN ACT ENTITLED, An Act to create an equitable process to handle
6 water right applications submitted for aquifers determined to be fully appropriated by the Water
7 Management Board.

8 HB 1028: FOR AN ACT ENTITLED, An Act to revise the amount counties may be
9 reimbursed for the detainment of parole violators.

10 HB 1029: FOR AN ACT ENTITLED, An Act to revise certain requirements regarding the
11 Richard Hagen-Minerva Harvey memorial scholarship program.

12 HB 1061: FOR AN ACT ENTITLED, An Act to include limited liability companies in
13 certain provisions regarding the licensing of boats and motor vehicles and certain provisions
14 regarding the dealers and manufacturers of certain vehicles, manufactured homes, and mobile
15 homes.

16 HB 1073: FOR AN ACT ENTITLED, An Act to provide for the cancellation of expired
17 mechanic's and materialman's liens.

18 HB 1079: FOR AN ACT ENTITLED, An Act to authorize certain lighting on vehicles
19 operated by ambulance service personnel.

20 HB 1108: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
21 provisions regarding employment strikes and lockouts.

22 HB 1125: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
23 provisions regarding judicial remedies.

24 HB 1152: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
25 registration of limited partnerships.

26 HB 1156: FOR AN ACT ENTITLED, An Act to allow the transmission of electronic
27 documents related to insurance policies.

28 HB 1178: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to false
29 statements pertaining to aircraft registration and associated penalties.

30 HB 1181: FOR AN ACT ENTITLED, An Act to allow for the requirement of a
31 certification of health from an employee of a school.

3 And signed the same in the presence of the Senate.

6 Jeannette Schipper, Secretary